

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States Securities
and Exchange Commission,

Plaintiff,

v.

ORDER

Civil No. 09-3333 (MJD/JJK)

Trevor Cook, d/b/a Crown
Forex, LLC and Patrick J. Kiley,
d/b/a Crown Forex, LLC et al.,

Defendants.

U.S. Commodity Futures
Trading Commission,

Plaintiff,

v.

Civil No. 09-3332 (MJD/JJK)

Trevor Cook, d/b/a Crown
Forex, LLC and Patrick J. Kiley,
d/b/a Crown Forex, LLC et al.,

Defendants.

John E. Birkenheier, Adolph J. Dean, Jr., Steven L. Klawans and Justin M Delfino, and James Alexander, Assistant United States Attorney, Counsel for Plaintiff United States Securities and Exchange Commission ("SEC").

Susan Gradman and David Slovick, Commodity Futures Trading Commission and James Alexander, Assistant United States Attorney, Counsel for

Plaintiff United States Commodity Futures Trading Commission (“CFTC”).

William J. Mauzy and Piper Kennedy Webb, Counsel for Defendant Trevor Cook.

This matter is before the Court upon Defendant Trevor Cook’s motion to lift this Court’s Contempt Order dated January 25, 2010, and to find that the Defendant either purged his contempt or compliance became impossible on April 13, 2010 - the date he entered a plea of guilty in his criminal case.

The Court heard testimony from Defendant as to his asserted present inability to comply. The SEC, CFTC and the Receiver each oppose the motion, arguing that Defendant has not met his burden of demonstrating that he has either purged his contempt or that he is presently unable to comply. In addition, the SEC, CFTC and the Receiver have demonstrated that Defendant may still be in possession of information that will assist in the recovery of additional investor assets.

Based on the record currently before the Court, the Court finds that Defendant Trevor Cook has not met his burden of demonstrating that he has either purged himself of contempt or that is presently unable to comply with the Court’s Contempt Order dated January 25, 2010.

Accordingly,

IT IS HEREBY ORDERED that Defendant Trevor Cook's Motion to Vacate/Purge Contempt [Doc. No. 474] is DENIED. The SEC, CFTC and the Receiver shall continue to meet with Defendant Cook for purposes of recovering additional investor assets. Prior to each such interview, the SEC, CFTC and the Receiver shall submit to Defendant Cook's counsel the list of questions that will be asked the Defendant, and the information sought, in order to streamline the interview process. The parties shall appear before the Court for a status conference on December 6, 2010 at 9:00 a.m.

Date: November 1, 2010

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court